

Memorandum

Date: December 17, 2003

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To : Robert Pernell, Presiding Member
William Keese, Associate Member

: California Energy Commission - James W. Reede, Jr., Ed.D
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Subject : **EL SEGUNDO POWER REDEVELOPMENT PROJECT
GENERAL CONDITION, COM 8 REVISION**

Since the Committee completed evidentiary hearings and received briefs, Energy Commission staff has continued to work to ensure the security of the state's power plants. As a result it has become necessary to revise a previously "agreed-to" General Condition. General Condition 8, known as the **CONSTRUCTION AND OPERATION SECURITY PLAN, COM-8**, accordingly was revised. Unless an objection is raised, staff respectfully requests that this new condition be accepted by stipulation of the parties. The revised condition follows with the changes highlighted by cross out and underlined text. The applicant acknowledged agreement with the draft of the condition in a letter dated December 16, 2003.

CONSTRUCTION AND OPERATION SECURITY PLAN, COM-8

At least 14 days Prior to commencing construction, a site-specific Security Plan for the construction phase shall be submitted to the CPM for approval. At least 30 days ~~60 days~~ prior to the initial receipt of hazardous materials on-site, a site-specific Security Plan ~~and Vulnerability Assessment~~ for the operational phase shall be submitted to the CPM for review and approval.

Construction Security Plan

The Construction Security Plan shall include the following:

1. site fencing enclosing the construction area;
2. use of security guards;
3. check-in procedure or tag system for construction personnel and visitors;
4. protocol for contacting law enforcement and the CPM in the event of ~~suspicious activity or emergency~~, conduct endangering the facility, its employees or contractors, conduct which is a pre-incident indicator of endangering the facility, its employees or contractors, or emergency
5. evacuation procedures.

Operation Security Plan

The Operations Security Plan shall include the following:

1. permanent site fencing and security gate;
2. evacuation procedures;

3. protocol for contacting law enforcement and the CPM in the event of suspicious activity or emergency; conduct endangering the facility, its employees or contractors, conduct which is a pre-incident indicator of endangering the facility, its employees or contractors, or emergency;
4. fire alarm monitoring system;
5. site personnel background checks, including employee and routine on-site contractors [Site personnel background checks are limited to ascertaining that the employee's claims of identity and employment history are accurate. All site personnel background checks shall be consistent with state and federal law regarding security and privacy.];
6. ~~control of site access for vendors and requirements for Hazardous Materials vendors to conduct personnel background security checks;~~ and
7. requirements for Hazardous Materials vendors to prepare and implement security plans as per 49 CFR 172.800 and to ensure that all hazardous materials drivers are in compliance with personnel background security checks as per 49 CFR Part 1572, Subparts A and B.
8. In addition, the Security Plan shall include one or more of the following in order to ensure adequate perimeter security:
 - a. security guards;
 - b. security alarm for critical structures;
 - c. perimeter breach detectors and on-site motion detectors;
 - d. video or still camera monitoring system;
9. ~~site personnel background checks.~~
10. ~~site access for vendors and requirements for Hazardous Materials vendors to conduct personnel background security checks.~~
11. ~~In addition, the project owner shall prepare a Vulnerability Assessment and implement site security measures addressing hazardous materials storage and transportation consistent with US EPA and US Department of Justice guidelines.~~

~~The CPM may authorize modifications to these measures, or may require additional measures depending on circumstances unique to the facility, and in response to industry-related security concerns.~~

The Project Owner shall fully implement the security plans and obtain CPM approval of any substantive modifications to the Security Plan. The CPM may authorize modifications to these measures, or may recommend additional measures depending on circumstances unique to the facility, and in response to industry-related security concerns.

Vulnerability Assessment

In addition, in order to determine the level of security appropriate for this power plant, the project owner shall prepare a Vulnerability Assessment and implement site

security measures addressing hazardous materials storage and transportation consistent with US EPA and US Department of Justice guidelines [Chemical Vulnerability Assessment Methodology (July 2002)]. The level of security to be implemented is a function of the likelihood of an adversary attack, the likelihood of adversary success in causing a catastrophic event, and the severity of consequences of that event. This Vulnerability Assessment will be based, in part, on the use and storage of certain quantities of acutely hazardous materials as described by the California Accidental Release Prevention Program (Cal-ARP, Health and Safety Code section 25531). Thus, the results of the off-site consequence analysis prepared as part of the Risk Management Plan (RMP) will be used to determine the severity of consequences of a catastrophic event and hence the level of security measures to be provided.

The CPM may authorize modifications to these measures, or may require additional measures depending on circumstances unique to the facility, and in response to industry-related security concerns.

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